

**Introduced by Senator Figueroa**

February 19, 2003

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An act to amend Sections 144, 3010.1, and 3014.6 of the Business and Professions Code, relating to professions and vocations, and declaring the urgency thereof, to take effect immediately.

LEGISLATIVE COUNSEL'S DIGEST

SB 364, as introduced, Figueroa. Licensing boards.

(1) Existing law requires specified boards, commissions, and bureaus in the Department of Consumer Affairs to obtain finger print cards from applicants applying for licensure so that they may obtain and receive, at their discretion, criminal history information on the applicant from the Department of Justice and the United States Federal Bureau of Investigation.

This bill would add the Contractors' State License Board to this list.

(2) Existing law provides for the licensing and regulation of the practice of optometry by the State Board of Optometry and authorizes the board to employ an executive officer. The board and the executive officer will be terminated on July 1, 2005.

This bill would extend the termination date of the board and the executive officer to January 1, 2007.

This bill would declare that it is to effect immediately as an urgency statute.

Vote:  $\frac{2}{3}$ . Appropriation: no. Fiscal committee: yes. State-mandated local program: no.

*The people of the State of California do enact as follows:*

- 1 SECTION 1. Section 144 of the Business and Professions  
2 Code is amended to read:
- 3 144. (a) Notwithstanding any other provision of law, an  
4 agency designated in subdivision (b) shall require an applicant to  
5 furnish to the agency a full set of fingerprints for purposes of  
6 conducting criminal history record checks. Any agency  
7 designated in subdivision (b) may obtain and receive, at its  
8 discretion, criminal history information from the Department of  
9 Justice and the United States Federal Bureau of Investigation.
- 10 (b) Subdivision (a) applies to the following boards or  
11 committees:
- 12 (1) California Board of Accountancy.
  - 13 (2) State Athletic Commission.
  - 14 (3) Board of Behavioral Sciences.
  - 15 (4) Court Reporters Board of California.
  - 16 (5) State Board of Guide Dogs for the Blind.
  - 17 (6) California State Board of Pharmacy.
  - 18 (7) Board of Registered Nursing.
  - 19 (8) Veterinary Medical Board.
  - 20 (9) Registered Veterinary Technician Committee.
  - 21 (10) Board of Vocational Nursing and Psychiatric Technicians.
  - 22 (11) Respiratory Care Board of California.
  - 23 (12) Hearing Aid Dispensers Advisory Commission.
  - 24 (13) Physical Therapy Board of California.
  - 25 (14) Physician Assistant Committee of the Medical Board of  
26 California.
  - 27 (15) Speech-Language Pathology and Audiology Board.
  - 28 (16) Medical Board of California.
  - 29 (17) State Board of Optometry.
  - 30 (18) Acupuncture Board.
  - 31 (19) Cemetery and Funeral Bureau.
  - 32 (20) Bureau of Security and Investigative Services.
  - 33 (21) Division of Investigation.
  - 34 (22) Board of Psychology.
  - 35 (23) The California Board of Occupational Therapy.
  - 36 (24) *The Contractors' State License Board.*
- 37 SEC. 2. Section 3010.1 of the Business and Professions Code  
38 is amended to read:



1 3010.1. (a) There is in the Department of Consumer Affairs  
2 a State Board of Optometry in which the enforcement of this  
3 chapter is vested. The board consists of 11 members, five of whom  
4 shall be public members.

5 Six members of the board shall constitute a quorum.

6 (b) The board shall, with respect to conducting investigations,  
7 inquiries, and disciplinary actions and proceedings, have the  
8 authority previously vested in the board as created pursuant to  
9 Section 3010. The board may enforce any disciplinary actions  
10 undertaken by that board.

11 (c) This section shall remain in effect only until July 1, ~~2005~~  
12 ~~2006~~, and, as of ~~that date~~ *January 1, 2007*, is repealed, unless a  
13 later enacted statute, that is enacted before January 1, ~~2006~~ *2007*,  
14 deletes or extends that date.

15 SEC. 3. Section 3014.6 of the Business and Professions Code  
16 is amended to read:

17 3014.6. (a) The board may appoint a person exempt from  
18 civil service who shall be designated as an executive officer and  
19 who shall exercise the powers and perform the duties delegated by  
20 the board and vested in him or her by this chapter.

21 (b) This section shall become inoperative on July 1, ~~2005~~ *2006*,  
22 and, as of January 1, ~~2006~~ *2007*, is repealed, unless a later enacted  
23 statute, that is enacted before January 1, ~~2006~~ *2007*, deletes or  
24 extends the dates on which it becomes inoperative and is repealed.

25 SEC. 4. Sections 2 and 3 of this bill shall become operative on  
26 January 1, 2004.

27 SEC. 5. This act is an urgency statute necessary for the  
28 immediate preservation of the public peace, health, or safety  
29 within the meaning of Article IV of the Constitution and shall go  
30 into immediate effect. The facts constituting the necessity are:

31 In order to protect the public health and safety, it is necessary  
32 that the Contractors' State License Board be able to obtain as soon  
33 as possible finger prints from applicants and licensees in order to  
34 run criminal records checks.

